(30)

No. 04-607
Title: Laboratory Corporation of America Holdings, dba LabCorp, Petitioner
v.
Metabolite Laboratories, Inc., et al.
Docketed: November 5, 2004
Lower Ct: United States Court of Appeals for the Federal Circuit
Case Nos.: (03-1120)
Decision Date: June 8, 2004
Rehearing Denied: August 5, 2004
Questions Presented

~~Date~~~	~~~~~~~Proceedings and Orders~~~~~~~~~~~~~~~~~~~~~~~~
Nov 3 2004	Petition for a writ of certiorari filed. (Response due December 6, 2004)
Dec 3 2004	Brief of respondents Metabolite Laboratories, Inc., et al. in opposition filed.
Dec 14 2004	Reply of petitioner Laboratory Corporation of America Holdings, dba as LabCorp filed. (Distributed)
Dec 15 2004	DISTRIBUTED for Conference of January 7, 2005.
Jan 10 2005	DISTRIBUTED for Conference of January 14, 2005.
Jan 18 2005	DISTRIBUTED for Conference of January 21, 2005.
Feb 11 2005	Supplemental brief of petitioner Laboratory Corporation of America Holdings, dba as LabCorp filed.
Feb 14 2005	DISTRIBUTED for Conference of February 18, 2005.
Feb 22 2005	DISTRIBUTED for Conference of February 25, 2005.
Feb 28 2005	The Solicitor General is invited to file a brief in this case expressing the views of the United States limited to the following question: Respondent's patent claims a method for detecting a form of vitamin B deficiency, which focuses upon a correlation in the human body between elevated levels of certain amino acids and deficient levels of vitamin B. The method consists of the following: First, measure the level of the relevant amino acids using any device, whether the device is, or is not, patented; second, notice whether the amino acid level is elevated and, if so, conclude that a vitamin B deficiency exists. Is the patent invalid because one cannot patent "laws of nature, natural phenomena, and abstract ideas"? Diamond v. Diehr, 450 U.S. 175, 185 (1981).
Aug 26 2005	Brief amicus curiae of United States filed.
Sep 2 2005	Supplemental brief of petitioner Laboratory Corporation of America Holdings, dba as LabCorp filed. (Distributed)
Sep 7 2005	DISTRIBUTED for Conference of September 26, 2005.
Oct 3 2005	DISTRIBUTED for Conference of October 7, 2005.
Oct 11 2005	DISTRIBUTED for Conference of October 14, 2005.
Oct 24 2005	DISTRIBUTED for Conference of October 28, 2005.
Oct 31 2005	Petition GRANTED limited to Question 3 presented by the petition for a writ of certiorari.
Nov 2 2005	Having been advised by the Chief Justice that he now realizes that he should have recused himself from participation in this case, and does now recuse himself, the Court vacates its order of Monday, October 31, 2005. The Court has reconsidered the petition for certiorari, which is granted but limited to question three as presented in the petition. The Chief Justice has not participated in the vote to withdraw the order of October 31, 2005 or

in the instant reconsideration of the petition for certiorari.

Nov 17 2005 Extension of time within which to file the joint appendix and petitioner's brief on the merits to and including December 23, 2005.

Nov 17 2005 Extension of time within which to file respondent's brief on the merits to and including February 6, 2006.

Dec 15 2005 Brief amicus curiae of Intellectual Property Owners Association in Support of Neither Party filed.

Dec 22 2005 Brief amicus curiae of People's Medical Society filed.

Dec 23 2005 Brief amicus curiae of United States filed.

Dec 23 2005 Brief of petitioner Laboratory Corporation of America Holdings, dba LabCorp filed.

Dec 23 2005 Joint appendix filed. (Jt.appendix in 2 vols.)

Dec 23 2005 Supplemental appendix filed.

Dec 23 2005 Brief amicus curiae of American Clinical Laboratory Association filed.

Dec 23 2005 Brief amicus curiae of American Heart Association filed.

Dec 23 2005 Brief amicus curiae of Financial Services Industry filed.

Dec 23 2005 Brief amicus curiae of Patients Not Patents, Inc. filed.

Dec 23 2005 Brief amicus curiae of International Business Machines Corporation in support of neither party filed.

Dec 23 2005 Brief amicus curiae of Association of the Bar of the City of New York in support of neither party filed.

Dec 23 2005 Brief amicus curiae of American Express Company in support of neither party filed.

Dec 23 2005 Brief amicus curiae of Computer & Communications Industry Association filed.

Dec 23 2005 Brief amici curiae of Affymetrix, Inc. and Professor John H. Barton filed.

Dec 23 2005 Brief amici curiae of American Medical Association, et al. filed.

Dec 23 2005 Brief amicus curiae of AARP filed.

Dec 23 2005 Brief amicus curiae of Public Patent Foundation filed.

Jan 23 2006 SET FOR ARGUMENT on Tuesday, March 21, 2006.

Jan 24 2006 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.

Feb 6 2006 Brief of respondents Metabolite Laboratories, Inc. and Competitive Technologies, Inc. filed. (Distributed)

Feb 6 2006 Brief amicus curiae of Franklin Pierce Law Center filed. (Distributed)

Feb 6 2006 Brief amicus curiae of American Intellectual Property Law Association filed. (Distributed)

Feb 6 2006 Brief amicus curiae of Boston Patent Law Association filed. (Distributed)

Feb 6 2006 Brief amici curiae of Perlegen Sciences, Inc. and Mohr, Davidow Ventures filed. (Distributed)

Feb 6 2006 Brief amicus curiae of Federal Circuit Bar Association filed. (Distributed)

Feb 7 2006 CIRCULATED.

Feb 14 2006 Record received from U.S.C.A. for Federal Circuit. (1 box)

Feb 21 2006 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED. The Chief Justice took no part in the consideration or decision of this motion.

Feb 27 2006 Record received from U.S.D.C. for the Eastern District of Colorado. (5 boxes)

Mar 9 2006	Reply of petitioner Laboratory Corporation of America Holdings, dba LabCorp filed. (Distributed).
Mar 21 2006	Argued. For petitioner: Jonathan S. Franklin, Washington, D.C. For United States as amicus curiae: Thomas G. Hunger, Deputy Solicitor General, Department of Justice, Washington, D.C. For respondents: Miguel A. Estrada, Washington, D.C.